

REMARKS

Entry of this Amendment in accordance with the provisions of 37 CFR 1.312 is respectfully requested.

By the present amendment, the dependency of claim 38 has been amended to correctly depend on claim 36 rather than claim 26. With regard to this, it is noted that claim 26 has been cancelled by the March 17, 2003 amendment, and, accordingly, the dependency of claim 38 on claim 26 was clearly an inadvertent error.

Entry of this amendment is respectfully requested under the provisions of 37 CFR 1.312 to avoid confusion which will otherwise result in the issued patent by way of the claim 38 pending on a cancelled claim. It is noted that clear support for the terms used in claim 38 is provided in claim 36. In other words, "said particles" and "said second insulating layer" both find antecedent basis in claim 36. As such, no substantial consideration should be required on the part of the Examiner concerning entry of this amendment. Further, this amendment does not broaden the claim language in any manner, but simply provides clarification of the claim. Therefore, entry of this amendment in accordance with provisions of 37 CFR 1.312 is respectfully requested.

If the Examiner believes that there are any other points which may be clarified or otherwise disposed of either by telephone discussion or by personal interview, the Examiner is invited to contact Applicants' undersigned attorney at the number indicated below.

Attached hereto is a marked-up version of the changes made to the specification and claims by the current amendment. The changes are shown on the

attached pages, the first page of which is captioned "VERSION WITH MARKINGS
TO SHOW CHANGES MADE."

To the extent necessary, Applicants petition for an extension of time under 37 CFR 1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to the Deposit Account No. 01-2135 (Case No. 500.39240X00), and please credit any excess fees to such Deposit Account.

Respectfully submitted,

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VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE CLAIMS:

Please **amend** claim 38 as follows:

38. (Amended) A semiconductor apparatus according to claim 2636,
wherein said particles are made of a same material as that of said second insulating
layer.